



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/434,803	11/05/1999	HATIM YOUSEF AMRO	AT9-99-697	4374

35525 7590 04/21/2003

DUKE W. YEE  
CARSTENS, YEE & CAHOON, L.L.P.  
P.O. BOX 802334  
DALLAS, TX 75380

EXAMINER

PATEL, NITIN

ART UNIT	PAPER NUMBER
----------	--------------

2673

DATE MAILED: 04/21/2003

24

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/434,803

Applicant(s)

AMRO ET AL.

Examiner

Nitin Patel

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7 and 9-14 is/are rejected.
- 7) ☒ Claim(s) 5, 6, 8, 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). A hand drawn mouse is not acceptable for drawing.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4,7,9-14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Willner et al., (U.S. Patent No. 6,288,709) in view of Russell (U.S. Patent no. 5,481,265).

As per claims 1,7,13,14 Willner shows a wireless computer (In Col.3 lines 34-38) input device for use with a data processing data processing system having a wireless transmitter for transmitting signals (In Col.7 lines 30-32 and element 200 in fig.5) and a selector (In col.14 lines 35-42) for selecting a one of plurality of wireless devices with

Art Unit: 2673

which to operate, wherein a selector causes a signal to be transmitted from the wireless transmitter (in col.14 lines 25-420).

Willner does not show a plurality of data processing systems to operate with wireless controller. Russell shows a plurality of computer device being controlled by wireless controller (In Fig.14 and in col.17 lines 8-10) It would have been obvious to one of ordinary skill in the art, at the time of the invention was made to allow the teaching of Russell's plurality of data processing into the system of Willner's because it would have provided a interface system allowing signal transmission and reception without rigorous aiming of the input device and externally switchless.

As per claims 2,4,9,10,11 Willner show input device as a keyboard and infra-red transmitter (In col.8 lines 59-60 and In col.7 lines 30-38).

As per claims 3,12 Neither Willner nor Russell shows an input device is a mouse, it would have been obvious to one of ordinary skill in the art, that input device such as wireless keyboard and hand held device is well known in the art.

***Allowable Subject Matter***

4. Claims 5,6,8,15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reason for the indication of allowable subject matter:

The prior art fails to teach or suggest the wireless transmitter is a radio frequency transmitter and a selector allow a selection of one of a plurality of radio frequencies,

wherein each of the plurality of radio frequencies corresponding to a separate one of the plurality of data processing systems as claimed in claims 5,6.

The prior art fails to teach or suggest the signal is a frequency recognized by the particular data processing system as claimed in claim 15.

### ***Response to Arguments***

5. Applicant argument is not persuasive for allowance. Applicant's argument that Willner art does not show a selector to select device from a plurality of devices, examiner would like to point out in fig.11 how a input device is selecting a different types of devices with a input device (element 100), so argument still stands that input device 100 does select with a selector different device as shown in fig.11 with a selector.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2673

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 703-308-7024.

The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H Shalwala can be reached on 703-305-4938. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9052 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9618.

NP  
April 16, 2003

A handwritten signature in black ink, appearing to read 'Vijay Shankar', is written in a cursive style.

**VIJAY SHANKAR  
PRIMARY EXAMINER**